

REMARKS

Claims 1–37 are pending in the present application.

Claims 11–37 have been added to broaden the scope of the claims. The relationship of limitations recited in newly added independent claim 11 to the limitations of issued independent claim 1 (the sole independent claim within the patent) are illustrated in claim-amendment form below:

1. ~~In a~~ A telescopic gunsight having an optical system ~~comprised of comprising:~~
a forward objective lens element, a rear eyepiece lens element and intervening
erector lens element, said plurality of lens elements being aligned upon an optical
axis constituting along a line of sight and ~~protectively confined within an elongated~~
~~tubular housing adapted to be securely affixed to a rifle, the improvement comprising~~
~~the addition into said optical system between said objective and erector lens elements~~
~~of; and~~
a transparent reticle having distance-measuring and aiming indicia disposed
between two of said plurality of lens elements, said distance-measuring and aiming
indicia comprising including:
orthogonally intersecting center vertical and center horizontal straight
hairlines, said ~~center vertical and center horizontal~~ hairlines having radially
distal portions ~~which are widened so as to form posts having radially directed~~
innermost and outermost extremities[,,]; and
four ~~straight horizontal range-marker hairlines of sequentially~~
incremental length indicia disposed below said center horizontal hairline,
wherein at least two of said range-marker indicia are formed by straight
horizontal hairlines of sequentially incremental length disposed in vertically
bisected relationship with said center vertical hairline.

As illustrated by the strikethrough text above, various limitations of claim 1 are entirely eliminated in claim 11. In addition, the underlined text above merely restates existing limitations. Accordingly, newly added independent claim 11 is broader than issued independent claim 1.

The relationship of limitations recited in newly added independent claim 17 to the limitations of issued independent claim 1 (the sole independent claim within the patent) are illustrated in claim-amendment form below:

1. ~~In a~~ A telescopic gunsight ~~having an optical system comprised of comprising:~~
a forward objective lens element, a rear eyepiece lens element and intervening erector lens element, said elements being aligned upon an optical axis constituting a line of sight and protectively confined within an elongated tubular housing adapted to be securely affixed to a rifle, the improvement comprising the addition into said optical system between said objective and erector lens elements of
a transparent reticle having distance-measuring and aiming indicia, ~~said indicia comprising including:~~
orthogonally intersecting center vertical and center horizontal ~~straight~~ hairlines, ~~said center vertical and center horizontal hairlines having widened~~ radially distal portions which are widened so as to form posts having radially directed innermost and outermost extremities; and
~~four straight horizontal three or more range-marker hairlines of sequentially incremental length~~ indicia disposed below said center horizontal hairline, wherein at least two of said range-marker indicia are formed by horizontal hairlines of differing length disposed in vertically bisected relationship with said center vertical hairline.

Again, the strikethrough text above illustrates that various limitations of claim 1 are entirely eliminated in claim 17, while the underlined text illustrates that existing limitations are merely moved and/or restated. Accordingly, newly added independent claim 17 is broader than issued independent claim 1.

For both claims 11 and 17, limitations recited in claim 1 have been moved to dependent claims 16 and 20, respectively.

Claims 21–22 have been added to more clearly define the inventive aspects of the invention.

This broadening reissue is being filed to correct the error of the patentee have claimed less than he was entitled to claim given the inventive concept of the disclosure and the prior art. In particular, and without limitation, the range-marker indicia on the reticle below the center horizontal hairline need not be exactly four in number, need not all comprise horizontal lines, and need not all comprise horizontal lines of sequentially incremental length. The invention may be employed with two or three range-marker indicia. The invention may alternatively be employed by providing horizontal lines for less than all of the range-marker indicia, using other features of the lines on the reticle (such as the innermost end of the bottom post on the vertical hairline) for at least one of the range-marker indicia. The invention may still further be employed with less than all of the range-marker indicia having a sequentially incremental length (or a length corresponding to adjustment for a predetermined cross-wind at the corresponding range), such as by only one horizontal line having a length corresponding to adjustment for a predetermined cross-wind at the respective range. Still further, another aspect of the inventive concepts include use of the range-marker indicia, together with other features of markings on the reticle, for range estimation as well as aiming.

Examination of the reissue application is respectfully requested.

STATEMENT OF STATUS AND SUPPORT FOR ALL CHANGES TO THE CLAIMS

Claims 1–10 as issued are resubmitted herein without amendment. Claims 11–20 are added.

Claims 11–20 are broadening claims over issued independent claim 1. New independent claims 11 and 17 contain no elements not found in issued claim 1, and are therefore supported by issued claim 1. Claims 11 and 17 merely eliminate various limitations found in independent claim 1, and broaden the limitation of:

“four straight horizontal range-marker hairlines of sequentially incremental length disposed below said center horizontal hairline in vertically bisected relationship with said center vertical hairline”

to:

“four range-marker indicia disposed below said center horizontal hairline, wherein at least two of said range-marker indicia are formed by straight horizontal hairlines of sequentially incremental length disposed in vertically bisected relationship with said center vertical hairline”

and:

“three or more range-marker indicia disposed below said center horizontal hairline, wherein at least two of said range-marker indicia are formed by horizontal hairlines disposed in vertically bisected relationship with said center vertical hairline”,

respectively. Support for these limitations is found in Figure 3 and column 8, lines 26–38.

Support for the subject matter recited in new claim 12 is also found in Figure 3 and column 8, lines 26–38.

Support for the subject matter recited in claims 13, 19 and 21 is found in Figures 3 and 7–10 and column 9, lines 48–67.

Support for the subject matter recited in new claims 14–16, 18 and 21 is found in Figures 3–4, column 8, lines 38–44, and column 8, line 58 through column 9, line 37.

Support for the subject matter recited in claims 16 and 20 is found in issued claim 1.

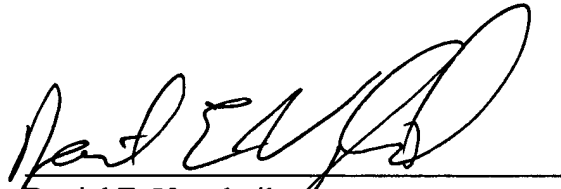
Support for the subject matter recited in claims 21–37 is found in Figures 1–10 and issued claims 1–10.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@davismunck.com*.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 3-18-04



Daniel E. Venglarik
Registration No. 38,409

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3621 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *dvenglarik@davismunck.com*